

District of Oregon
 Corresponds to AO 241
 Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254
 (Rev. 1/20)

Page 2 of 9

PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF HABEAS CORPUS
 BY A PERSON IN STATE CUSTODY

United States District Court	District of Oregon
Name (under which you were convicted): <u>Martin Allen Johnson</u>	Docket or Case No.: <u>2:25-cv-1096 JR</u>
Place of Confinement: <u>DOC - BRCZ</u>	Prisoner (SID) No.: <u>5410056 / 56767-065</u>
Petitioner (include the name under which you were convicted) <u>Martin Johnson</u>	Respondent (authorized person having custody of <u>State of Oregon</u>)
The Attorney General of the State: _____	

CONVICTION UNDER ATTACK

- Name and location of court that entered the judgment of conviction you are challenging:
USDC - 86-108 / Washington County 0011654
- Criminal docket or case number (if known): 86-108, 0011654
- (a) Date of judgment of conviction (if known): 1986 / December 2017
 (b) Date of Sentence: August 1986 / December 2014
- Length of sentence: 22 / LWOP
- Identify all crimes for which you were convicted and sentenced in this case:
209C Drugs 86-108 643 From 1465
0011654 ORS 163.107
- What was your plea? (Check one)
☒ Not Guilty Both ☐ Guilty
☐ Nolo Contendere (No Contest) ☐ Insanity Plea
 If you entered a guilty plea(s), list what crimes you pleaded guilty to, and what crimes you did not plead guilty to:

- If you pleaded not guilty, what kind of trial did you have? (Check one)
☒ Jury ☐ Judge Only
- Did you testify at trial?
☒ Yes 86-108 ☒ No 0011654

District of Oregon
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 Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254
 (Rev. 1/20)

Page 3 of 9

EXHAUSTION OF STATE REMEDIES***DIRECT APPEAL***

9. Did you directly appeal from the judgment of conviction?

☒ Yes

☐ No

a. Name of court: 9th Circuit / Oregon Supreme Court

b. Docket or case number (if known): 2 / A176046

c. Result: Denial

d. Date of result and citation (if known): 2 / 2024 September

e. Grounds raised: Search & Seizure / Fourth
Search & Seizure / Fourth
1st D
199, 705 - 777

10. Did you seek further review of the decision on appeal by a higher state court?

☒ Yes

☐ No

a. Name of court: 2 / 2

b. Docket or case number (if known): 2

c. Result: Denial

d. Date of result and citation (if known): 2 / September 2024

e. Grounds raised: All
All

11. Did you file a petition for certiorari in the United States Supreme Court?

☒ Yes

☒ No

a. Name of court: _____

b. Docket or case number (if known): _____

c. Result: _____

d. Date of result and citation (if known): _____

District of Oregon
 Corresponds to AO 241
 Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254
 (Rev. 1/20)

Page 4 of 9

e. Grounds raised:

12. If you did not directly appeal from the judgment of conviction, explain briefly why you did not:

POST-CONVICTION RELIEF

13. Did you file a petition for state post-conviction relief?

☒ Yes CO11654 ☐ No

a. Name of court: Marion County

b. Docket or case number (if known): OC19178

c. Nature of proceeding: order new trial

d. Did you receive an evidentiary hearing?

☒ Yes ☐ No

e. Result: Granted New Trial

f. Date of result and citation or case number (if known): September 2017

g. Grounds raised: All

14. Did you appeal the result of your state post-conviction case?

☐ Yes

☒ No

But the Attorney General
did

a. Name of court: _____

b. Docket or case number (if known): _____

c. Result: _____

d. Date of result and citation (if known): _____

e. Grounds raised:

District of Oregon

Corresponds to AO 241

Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254

(Rev. 1/20)

Page 5 of 9

15. Did you seek further review of the decision on appeal by a higher state court?

☐ Yes☐ No

a. Name of court: _____

b. Docket or case number (if known): _____

c. Result: _____

d. Date of result and citation (if known): _____

e. Grounds raised: _____

16. If you did not appeal from the adverse decision in your state post-conviction case, explain briefly why you did not: _____

GROUND FOR RELIEF17. For this petition, state *concisely* every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.**CAUTION: In order to proceed in the federal court, normally you must exhaust (use up) your available state court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.**

For your information, the following is a list (a-j) of the most frequently raised grounds for relief in habeas corpus proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise grounds other than those listed.

- a. Conviction obtained by plea of guilty that was unlawfully induced or not made voluntarily with understanding of the nature of the charge and the consequences of the plea.
- b. Conviction obtained by use of coerced confession.
- c. Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- d. Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- e. Conviction obtained by a violation of the privilege against self-incrimination.
- f. Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- g. Conviction obtained by a violation of the protection against double jeopardy.
- h. Conviction obtained by action of a grand or petit jury that was unconstitutionally selected and impaneled.
- i. Denial of effective assistance of counsel at trial or on appeal.
- j. Denial of right of appeal.

A. Ground One:

For 86-108 state of OR over IN
 refuse to file with 10/13/25
 for USM Detention, see attached jail
 1 to 6

District of Oregon

Corresponds to AO 241

Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254

(Rev. 1/20)

Page 6 of 9

Supporting FACTS (state *briefly* without citing cases or law):

Under FRAP, ONS 135.775
 notice should have been done

B.

Ground Two:

COLLUSY Court refuses to hear,
 rule on grant on deny prose pleadings
 particularly ONS 133.705 to 133.714

Supporting FACTS (state *briefly* without citing cases or law):

unreasonable delay in hearing ruling on,
 granting, denying prose pleadings
 violations 4th, 5th, 6th, 8th, 14th
 Amendments due process, equal protection

C.

Ground Three:

Supporting FACTS (state *briefly* without citing cases or law):

D.

Ground Four:

Supporting FACTS (state *briefly* without citing cases or law):
OTHER INFORMATION

District of Oregon

Corresponds to AO 241

Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254

(Rev. 1/20)

Page 7 of 9

18. Please answer these additional questions about the petition you are filing:

a. Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction?

☐ Yes☒ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

COLLUSY I cannot file appeals ORAL 2.05
 as the court will not hold hearings, is for,
 heavy rule on, grant on day, please attorneys

b. Is there any ground in this petition that has not been presented in some state or federal court? If so, indicate which ground or grounds have not been presented, and state your reasons for not presenting them:

YD

19. Do you have any petition or appeal now pending (filed and not decided yet) in any court, state or federal, for the judgment you are challenging here?

☒ Yes☐ No

If the answer is "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised:

COLLUSY, A187716, USDC 222CV 30703 FPN
 20CV30346, Habeas Corpus Malheur County Wore
 21CV30007, A190596 Proc

20. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

a. At preliminary hearing:

COLLUSY MPD / 86-108 FPN

b. At arraignment and plea:

COLLUSY / FPN

c. At trial:

MPD / FPN

d. At sentencing:

MPD / FPN

District of Oregon
 Corresponds to AO 241
 Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254
 (Rev. 1/20)

Page 8 of 9

e. On appeal:

OPAC / FPN3

f. In any post-conviction proceeding:

0616178 Robert Huggins, Jenny Cooke

g. On appeal from any adverse ruling in a post-conviction proceeding:

0616178 Daniel Curry Robert Huggins

21. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition?

☒ Yes☐ No

a. If yes, in what court was the prior action filed? USDC

b. What was the prior case number? 222 CV 00703

c. Was the prior action:

☐ Decided on the merits, or

penalty

☐ Dismissed on procedural grounds

d. Date of decision: unknown

e. Are there any issues in this petition raised in the prior petition?

☐ Yes☒ No

f. If the prior case was denied on the merits, has the Ninth Circuit Court of Appeals given you permission to file this successive petition?

☐ Yes*☐ No

*If the answer is "Yes," you must attach a copy of the order received from the Ninth Circuit Court of Appeals.

22. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

☒ Yes☐ No

6 years special parole

a. If so, give the name and location of the court that imposed the sentence to be served in the future:

86-105 NA USDC Oregon / Oregon Collateral LWOP

b. Give the date and length of sentence to be served in the future:

86-105 6 years / LWOP collateral

c. Have you filed, or do you contemplate filing, any petition attacking the judgment that imposed the sentence to be served in the future?

yes



RECEIVED

OREGON DEPARTMENT OF CORRECTIONS

MAY 19 2025

AIC COMMUNICATION FORM

SUPERINTENDENTS OFFICE

TO: Reed for Woodland Date: 5-12-2025 SRCI

State your issue in detail:

1. If possible I would like to
Apply/invoke EAB, ORS 135.775
for Federal Detention.

AIC Committed Name (first middle last)

Martha A. Johnson

SID#

5410056

Housing Unit

2F15B

Response/Action Taken:

Please work with Records
regarding your request.

Received

MAY 23 2025

SRCI/RECORDS

①

Date Received:

5/19/25

Referred To*:

Date Answered:

5/20/25

Signature of Staff Member:

J. Campbell

If forwarded, please notify the AIC

for J. Woodland

CD 214 (02/2020)

2/19/25
7:21:19

OREGON DEPARTMENT OF CORRECTIONS
Institution Division FACESHEET

PAGE: 006
OPS532B

JOHNSON, MARTIN ALLEN

SID#: 05410056

DETAINERS:

Agency: US MARSHAL
Contact Name: WARRANTS/TRANSPORT

Phone: 503-326-3939 Ext:

Agency

Case#-Charges: 56167-065

Tried

Offense Data:

Planned Expiration Date:
Entry Date: 8/27/2001
Comments:

Governors Warrant: N Waiver on File: N Release to Detainer: Y

Proc 5444
200030346
Exhibit Pin - 9
34

2



OREGON DEPARTMENT OF CORRECTIONS

AIC COMMUNICATION FORM

TO: RecordsDate: 5-21-2025

State your issue in detail:

1 See attached USM detainer
IAD ON 135.775, invocation
from Joe Woodlan

2 Return original, kyle, detainer
and new face sheet to me, please

AIC Committed Name (first middle last)

Martin A Johnson

SID#

54/0056

Housing Unit

2F15B

Response/Action Taken: _____

Your KYTE has been forwarded
to your PTA. Please expect a
seperate response from this.

Received

Date Received: _____

MAY 23 2025

Referred To*: _____

Date Answered: _____

SRC/RECORDS

Signature of Staff Member: _____

J. Davis

If forwarded, please notify the AIC



OREGON DEPARTMENT OF CORRECTIONS

AIC COMMUNICATION FORM

TO:

Records

Date:

5-21-2025

State your issue in detail:

1 See attached USM detainer
INB ON 135.775, invocation,
from Joe Woodlaw

2 Return original, Kyle, detainer
and new face sheet to me, please

AIC Committed Name (first middle last)

Maurice A. Johnson

SID#

54/0056

Housing Unit

2F15B

Response/Action Taken:

Please contact the US Marshals office to request changes
or the removal of this detainer.

Thank you,

Back
5-29-2025
Wednesday

4

Date Received:

05/23/2025

Referred To*:

Date Answered:

Signature of Staff Member:

F. Davis

If forwarded, please notify the AIC



Oregon Department of Corrections (ODOC)
Snake River Correctional Institution
Grievance - Denied

To: Johnson, Martin Allen
From: Bell, M. *Mark Main*

SID #: 5410056
Date: 06/18/2025

Cell: SRCI:2F15B

Re: Non-Medical# SRCI_2025_06_054

The grievance you submitted is being returned to you due to non-compliance with the Department of Corrections (DOC) Rule #109 (Grievance Review System) for the following reason(s):

Your grievance has not demonstrated how it qualifies under 291-109-0210. You have not demonstrated misapplication of departmental policies, rules, or other directives, unprofessional actions of department employees, volunteers, or contractors, inadequate medical or mental health treatment, or excessive use of force by department employees.

If you have any questions regarding your grievance, please refer to the Department of Corrections Administrative Rule "Grievance Review System" tab #109 located in the legal library or kyte your institution Grievance/Discrimination Complaint Coordinator.

*Received
June 20, 2025
Friday*

(Handwritten signature/initials)



GRIEVANCE FORM

Name: Johnson Martin A 5410056 2F15B
Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Joe Woollaud

Please provide the date/time of incident giving rise to grievance: 5-28-2025

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

1 Joe Woollaud is not timely and properly
processing my USM detention pursuant to
IAD and ORS 135.775, see attached
pages 1 to 4

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Process my IAD, ORS 135.775 request,

5-28-2025

Date



Signature

Receiving Facility (If not processing facility)
Date Stamp

Received at Processing Facility
RECEIVED JUN 03 2025
SRCI/SRCM Grievance Office Date Stamp

Accepted/Denied/RFC
DENIED JUN 10 2025
SRCI/SRCM Grievance Office Date Stamp

Accepted/Denied/RFC
Date Stamp